IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 1796 of 2005

Between:

P.Supriya D/o P.Ramasubba Reddy
Resident of 4-1003, New Colony, Yerramguntla, Kadapa District.

..... PETITIONER

AND

1 Sri Venkateswara University, Tirupati Chittoor District.
Rep.by its Registrar.
2 The K.S.R.M.College of Engineering, Vempalli Road, Kadapa,
Rep.by its Principal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an order or direction, particularly a writ in the nature of Mandamus, declaring the action of the respondents in not permitting the petitioner to attend the classes of 4th semester MCA course on the pretext of pending case before this Honourable court and there is no direction to permit her to attend the classes of 4th Semester as being illegal, arbitrary and is in clear violative of Articles 14 and 21 of the constitution of India besides violative of principles of natural justice and fair play, and consequently direct the respondents to permit the petitioner to attend the classes of 4th Semester MCA, and pass such other and further order or orders as are deemed fit and proper.

Counsel for the Petitioner: MR.D.SESHADRI NAIDU

Counsel for the Respondent No.1: MR.P.SREE RAMULU NAIDU

Counsel for the Respondent No.2: --

The Court at the stage of admission made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the first respondent-University.

Admittedly, the petitioner has already filed W.P.No.23065 of 2004 questioning the action of the respondents in not permitting the petitioner to appear for the third semester MCA examinations and the said writ petition is still pending. It is also not in dispute that by virtue of the interim order granted by this Court in the said writ petition, the petitioner was allowed to appear for the third semester examinations, however, the results were not published. In this writ petition, the petitioner seeks a direction to permit her to attend the classes for the fourth semester. The petitioner ought to have sought this relief in the writ petition which is pending and the fresh writ petition on the same cause of action cannot be maintained.

Accordingly, granting leave and liberty to the petitioner the writ petition is dismissed. No costs.

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08.02.2005

Note: Issue CC by tomorrow

(b/o)

VGB

To

1 The Registrar, Sri Venkateswara University, Tirupati, Chittoor District.
2 The Principal, K.S.R.M.College of Engineering, Vempalli Road, Kadapa,

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